

PATENT COOPERATION TREATY

PCT

NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

Commissioner
US Department of Commerce
United States Patent and Trademark
Office, PCT
2011 South Clark Place Room
CP2/5C24
Arlington, VA 22202
ETATS-UNIS D'AMERIQUE

in its capacity as elected Office

Date of mailing (day/month/year)

22 February 2001 (22.02.01)

International application No.

PCT/US00/15760

Applicant's or agent's file reference

RCA 89549

International filing date (day/month/year)

08 June 2000 (08.06.00)

Priority date (day/month/year)

16 June 1999 (16.06.99)

Applicant

KLOPFENSTEIN, Scott, Edward et al

1. The designated Office is hereby notified of its election made:



in the demand filed with the International Preliminary Examining Authority on:

05 January 2001 (05.01.01)



in a notice effecting later election filed with the International Bureau on:

2. The election ☒ was

was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Authorized officer

Zakaria EL KHODARY

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference RCA 89549	FOR FURTHER ACTION see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. PCT/US 00/ 15760	International filing date (day/month/year) 08/06/2000	(Earliest) Priority Date (day/month/year) 16/06/1999
Applicant THOMSON LICENSING S.A.		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 3 sheets.



It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

- a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.



the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing :



contained in the international application in written form.



filed together with the international application in computer readable form.



furnished subsequently to this Authority in written form.



furnished subsequently to this Authority in computer readable form.



the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.



the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☐ **Certain claims were found unsearchable** (See Box I).

3. ☐ **Unity of Invention is lacking** (see Box II).

4. With regard to the title,



the text is approved as submitted by the applicant.



the text has been established by this Authority to read as follows:

REAL-TIME SIGNAL STRENGTH DISPLAY OF TERRESTRIAL DIGITAL TELEVISION SIGNALS

5. With regard to the abstract,



the text is approved as submitted by the applicant.



the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the drawings to be published with the abstract is Figure No.

6



as suggested by the applicant.



because the applicant failed to suggest a figure.



because this figure better characterizes the invention.



None of the figures.

INTERNATIONAL SEARCH REPORT

International Application No

PCT/US 00/15760

A. CLASSIFICATION OF SUBJECT MATTER
IPC 7 H04N5/445

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 H04N

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

WPI Data, EP0-Internal, PAJ

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	US 5 436 675 A (HAYASHI T. ET AL) 25 July 1995 (1995-07-25) column 2, line 35 - line 50 ---	1,2,4,9
A	US 5 422 681 A (HAYASHI T.) 6 June 1995 (1995-06-06) column 4, line 3 - line 40 ---	1,2,4,9
A	WO 99 04559 A (SAMSUNG INFORMATION SYSTEMS AMERICA) 28 January 1999 (1999-01-28) page 10, line 14 - line 15 ---	1,2
A	EP 0 912 051 A (HITACHI LTD) 28 April 1999 (1999-04-28) figures 6D,9 ---	4,6
	--- -/--	

☒ Further documents are listed in the continuation of box C.☒ Patent family members are listed in annex.

* Special categories of cited documents :

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

T later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

- *X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- *Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

& document member of the same patent family

Date of the actual completion of the international search

26 September 2000

Date of mailing of the international search report

04/10/2000

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2
NL - 2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
Fax: (+31-70) 340-3016

Authorized officer

Verschelden, J

INTERNATIONAL SEARCH REPORT

International Application No

PCT/US 00/15760

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	EP 0 050 328 A (SABA GMBH) 28 April 1982 (1982-04-28) the whole document ---	1,4
A	US 5 625 406 A (NEWBERRY T. ET AL) 29 April 1997 (1997-04-29) the whole document -----	1,4

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/US 00/15760

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
US 5436675	A	25-07-1995	JP 5064203 A	12-03-1993
US 5422681	A	06-06-1995	JP 5284441 A	29-10-1993
WO 9904559 60 A			NONE	
EP 912051	A	28-04-1999	JP 11126193 A	11-05-1999
			JP 11177919 A	02-07-1999
EP 50328	A	28-04-1982	DE 3039640 A	29-04-1982
			AT 8315 T	15-07-1984
US 5625406	A	29-04-1997	CA 2156871 A	10-03-1996
			CN 1138796 A	25-12-1996
			DE 69516780 D	15-06-2000
			EP 0701367 A	13-03-1996
			JP 8181955 A	12-07-1996

EXPRESS MAIL
EK816049604US

JUL 16 2001

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

PCT

To:

TRIPOLI, Joseph S.
THOMSON MULTIMEDIA LICENSING INC.
P.O. Box 5312
Princeton, New Jersey 08540
ETATS-UNIS D'AMERIQUE
KANOTIFICATION OF TRANSMITTAL OF
THE INTERNATIONAL PRELIMINARY
EXAMINATION REPORT
(PCT Rule 71.1)Date of mailing
(day/month/year) 12.07.2001Applicant's or agent's file reference
RCA 89549

IMPORTANT NOTIFICATION

International application No.
PCT/US00/15760International filing date (day/month/year)
08/06/2000Priority date (day/month/year)
16/06/1999Applicant
THOMSON LICENSING S.A et al.

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary examination report and its annexes, if any, established on the international application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.

4. REMINDER

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices) (Article 39(1)) (see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

Event

OA Final Country Selection To Divided

Deadline

16 Oct 2001

DPF 7/25/01

Name and mailing address of the IPEA/



European Patent Office
D-80298 Munich
Tel. +49 89 2399 - 0 Tx: 523656 epmu d
Fax: +49 89 2399 - 4465

Authorized officer

Schalinatus, D

Tel. +49 89 2399-8242



PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference RCA 89549	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/US00/15760	International filing date (<i>day/month/year</i>) 08/06/2000	Priority date (<i>day/month/year</i>) 16/06/1999
International Patent Classification (IPC) or national classification and IPC H04N5/445		
Applicant THOMSON LICENSING S.A et al.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.



2. This REPORT consists of a total of 6 sheets, including this cover sheet.

- ☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☒ Certain defects in the international application
- VIII ☒ Certain observations on the international application

Date of submission of the demand 05/01/2001	Date of completion of this report 12.07.2001
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized officer McGrath, S Telephone No. +49 89 2399 8961 <div style="text-align: right;">  </div>

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/US00/15760

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, pages:

1-12 as originally filed

Claims, No.:

1-11 as originally filed

Drawings, sheets:

1/4-4/4 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/US00/15760

☐ the drawings, sheets:

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes:	Claims	3,5-11
	No:	Claims	1,2,4
Inventive step (IS)	Yes:	Claims	
	No:	Claims	1-11
Industrial applicability (IA)	Yes:	Claims	1-11
	No:	Claims	

2. Citations and explanations
see separate sheet

VII. Certain defects in the international application

The following defects in the form or contents of the international application have been noted:
see separate sheet

VIII. Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:
see separate sheet

Concerning Point V - Reasoned Statement

The following documents, cited in the International Search Report, are mentioned in this report:

D1: US-A-5 436 675
D2: US-A-5 422 681
D3: EP-A-0 912 051
D4: EP-A-0 050 328

1. The subject-matter of claim 1 does not meet the requirements of Article 33(2) and Rule 64(1-3) PCT since it lacks novelty.

See D1, Fig. 1 & col. 5, line 20 - col. 7, line 5, col. 11, line 32 - col. 12, line 32.

2. The subject-matter of claim 4 does not meet the requirements of Article 33(2) and Rule 64(1-3) PCT since it lacks novelty.

See the arguments against claim 1. It is not clear in the claim whether all the signal strengths are displayed simultaneously or not. For the case where the user just selects one channel, ie for the channel being displayed, novelty is lacking.

Even if the claim were to be clarified to clearly include the display of a plurality of signal strengths then the subject-matter of claim 4 would not meet the requirements of Article 33(3) and Rule 65(1)(2) PCT since it would not involve an inventive step.

It is obvious that in selecting a plurality of channels all the respective signal strengths are detected and as such can be stored and then displayed together.

3. The subject-matter of claim 9 does not meet the requirements of Article 33(3) and Rule 65(1)(2) PCT since it does not involve an inventive step.

Claim 9 fails to specify where the signal strength is displayed, therefore this display could also be performed, for example, using a hand-held signal strength meter.

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/US00/15760

Thus the subject-matter of claim 9 is in essence nothing more than a standard setup of an antenna for digital tv. Such a set-up procedure is extremely well-known in the art and corresponds to the basic procedure practised by any satellite antenna installer. See also D1, col. 2, lines 35-50, and D2, col. 4.

The only difference with the prior art is perhaps that in practice one would not necessarily display "the signal strength of each received digital signal".

Nevertheless it is obvious for the skilled person that each channel may have a different signal strength and can be optimized independently - this is disclosed in any case in D2, see col. 6, lines 52-55.

4. The following dependent claims do not appear to contain any additional features which, in combination with the features of any claim to which they refer, establish novelty or involve an inventive step:

claims 2 & 7 - it is considered implicit, or at least obvious that any measurement can be repeated, eg when a channel is selected again, and that this will include the signal strength measurement as known from D1 or D2;

claims 3 & 6 - Figs. 6D, 9;

claim 5 - see D1-D3, it is in any case an obvious measure to use a grid format;

claim 8 - see D2, col. 7, lines 28-38, and D4, page 3;

claim 10 - it is obvious that any desired channel can be optimized in this manner;

claim 11 - see D1-D4.

Concerning Point VII - Certain Defects

1. The requirements of Rule 6.3(b) PCT are not met since the independent claims are not properly cast in the two part form, according to which those features which in combination are part of the prior art are placed in the preamble.
2. The requirements of Rule 5.1(a)(ii) & (iii) PCT are not met since the background art, useful for understanding the invention, eg the documents mentioned above, have not been acknowledged in the description and the technical problems and any advantageous effects have not yet been stated in comparison to this background art.

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/US00/15760

3. The requirements of Rule 6.2(b) PCT are not met since reference signs are not used in the claims. It is considered that their presence would significantly aid the understanding of the claims.

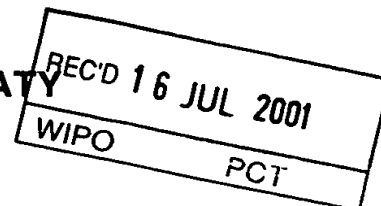
Concerning Point VIII - Certain Observations

The subject-matter of the claims is cast into doubt by the description and therefore does not meet the requirements of Article 6 PCT.

Fig. 6 is inconsistent with the description, page 9. For example channel 15, which is analog does not have "N/A" appearing in the strength box 62.

PATENT COOPERATION TREATY

PCT



INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

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Applicant THOMSON LICENSING S.A et al.		

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- VII ☒ Certain defects in the international application
- VIII ☒ Certain observations on the international application

Date of submission of the demand 05/01/2001	Date of completion of this report 12.07.2001
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized officer McGrath, S Telephone No. +49 89 2399 8961 

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/US00/15760

I. Basis of the report

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- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/US00/15760

☐ the drawings, sheets:

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Novelty (N)	Yes:	Claims	3,5-11
	No:	Claims	1,2,4
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	No:	Claims	1-11
Industrial applicability (IA)	Yes:	Claims	1-11
	No:	Claims	

2. Citations and explanations
see separate sheet

VII. Certain defects in the international application

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see separate sheet

VIII. Certain observations on the international application

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see separate sheet

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/US00/15760

Concerning Point V - Reasoned Statement

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D2: US-A-5 422 681
D3: EP-A-0 912 051
D4: EP-A-0 050 328

1. The subject-matter of claim 1 does not meet the requirements of Article 33(2) and Rule 64(1-3) PCT since it lacks novelty.

See D1, Fig. 1 & col. 5, line 20 - col. 7, line 5, col. 11, line 32 - col. 12, line 32.

2. The subject-matter of claim 4 does not meet the requirements of Article 33(2) and Rule 64(1-3) PCT since it lacks novelty.

See the arguments against claim 1. It is not clear in the claim whether all the signal strengths are displayed simultaneously or not. For the case where the user just selects one channel, ie for the channel being displayed, novelty is lacking.

Even if the claim were to be clarified to clearly include the display of a plurality of signal strengths then the subject-matter of claim 4 would not meet the requirements of Article 33(3) and Rule 65(1)(2) PCT since it would not involve an inventive step.

It is obvious that in selecting a plurality of channels all the respective signal strengths are detected and as such can be stored and then displayed together.

3. The subject-matter of claim 9 does not meet the requirements of Article 33(3) and Rule 65(1)(2) PCT since it does not involve an inventive step.

Claim 9 fails to specify where the signal strength is displayed, therefore this display could also be performed, for example, using a hand-held signal strength meter.

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/US00/15760

Thus the subject-matter of claim 9 is in essence nothing more than a standard setup of an antenna for digital tv. Such a set-up procedure is extremely well-known in the art and corresponds to the basic procedure practised by any satellite antenna installer. See also D1, col. 2, lines 35-50, and D2, col. 4.

The only difference with the prior art is perhaps that in practice one would not necessarily display "the signal strength of each received digital signal".

Nevertheless it is obvious for the skilled person that each channel may have a different signal strength and can be optimized independently - this is disclosed in any case in D2, see col. 6, lines 52-55.

4. The following dependent claims do not appear to contain any additional features which, in combination with the features of any claim to which they refer, establish novelty or involve an inventive step:

claims 2 & 7 - it is considered implicit, or at least obvious that any measurement can be repeated, eg when a channel is selected again, and that this will include the signal strength measurement as known from D1 or D2;

claims 3 & 6 - Figs. 6D, 9;

claim 5 - see D1-D3, it is in any case an obvious measure to use a grid format;

claim 8 - see D2, col. 7, lines 28-38, and D4, page 3;

claim 10 - it is obvious that any desired channel can be optimized in this manner;

claim 11 - see D1-D4.

Concerning Point VII - Certain Defects

1. The requirements of Rule 6.3(b) PCT are not met since the independent claims are not properly cast in the two part form, according to which those features which in combination are part of the prior art are placed in the preamble.
2. The requirements of Rule 5.1(a)(ii) & (iii) PCT are not met since the background art, useful for understanding the invention, eg the documents mentioned above, have not been acknowledged in the description and the technical problems and any advantageous effects have not yet been stated in comparison to this background art.

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/US00/15760

3. The requirements of Rule 6.2(b) PCT are not met since reference signs are not used in the claims. It is considered that their presence would significantly aid the understanding of the claims.

Concerning Point VIII - Certain Observations

The subject-matter of the claims is cast into doubt by the description and therefore does not meet the requirements of Article 6 PCT.

Fig. 6 is inconsistent with the description, page 9. For example channel 15, which is analog does not have "N/A" appearing in the strength box 62.